

Interview Summary	Application No.	Applicant(s)
	10/666,201	VANWINKLE, MICHAEL
	Examiner R. Alexander Smith	Art Unit 2859

All participants (applicant, applicant's representative, PTO personnel):

(1) R. Alexander Smith. (3) _____
 (2) Kenneth F. Pearce. (4) _____.

Date of Interview: 15 March 2005.

Type: a) Telephonic b) Video Conference
 c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
 If Yes, brief description: _____.

Claim(s) discussed: 1-5 and 9-15.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*A copy of the fax
provided by Applicant
is attached.*

R. Alexander Smith 3/30/05

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The applicant called the examiner to check on the status of this application. It appeared that the PTO was waiting for a compliant response from the applicant to the letter of non-compliance mailed to the applicant on November 4, 2004.

The applicant had filed a response on October 19, 2004 to which the PTO mailed a letter of non-compliance on November 4, 2004. On November 22, 2004 the PTO mailed another letter to the applicant withdrawing the letter of non-compliance. This letter unlike the previous letter was not scanned into the IFW system.

In reviewing the case, it appears that the PTO's customer support scanned the response filed on October 19, 2004 incorrectly. They had divided parts of the argument into the various sections, i.e., specification, claims, etc. while leaving the amended specification and claims in the argument section. Therefore, a letter of non-compliance was mailed by the PTO before the realization that customer support had inaccurately sectionalized the response filed on October 19, 2004 and that the claims were in compliance.

At the request of the examiner since there was no image available in the IFW of the PTO letter mailed on November 22, 2004, the applicant faxed to the examiner a copy of the letter withdrawing the non-compliance. A copy of the fax provided is included.